CF 1001

(4)

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH AT BILASPUR

W.P.NO. 08/2004

PETITIONER: : Smt. Sarita Bai, W/o. Krishna Kumar, age 22 years, R/o. Sankapat. Vill-Panchayat Saraiset, Tah-Pandaria, Dist. Kawardha *C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh through Secretary Woman, & Child Development. DKS BHAVAN RAIPUR (C.G.)
2. Collector, Kawardha Distt- KAWARDHA (C.G.)
3. Chief Executive Officer, Janpad Panchayat, Panderia. Distt- KAWARDHA (C.G.)
4. Vill. Panchayat Saraiset through Sarpanch. Vill- Panchyat - Saraisat Distt. KAWARDHA (C.G.)
5. Pariyojana Adhikari, Women & Child Development, Pandaria. Distt- KAWARDHA (C.G.)

P. R. No. 3527/03 Shastri
Presented by Shri Vivek
dated 17.12.03

RECEIVED-COPY
17/12/03
Clerk to A G. Bilaspur

Vide 1/11/04

WRIT PETITION UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRITS IN THE NATURE OF MANDAMUS, CERTIORARI AND/OR ORDER (S), AND/OR DIRECTION (S).

(44)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 08/04 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

07.01.2004

Shri P. Das, counsel for the petitioner.

Shri A. Agarwal, Advocate for the respondent.

Heard.

The petitioner has applied for the post of Anganwadi workers for Village Panchayat Sankapat. However, the petitioner was not appointed in spite of being qualified and eligible for the post. Aggrieved therewith the petitioner moved an appeal before the Collector, Kawardha and after considering the documents of the petitioner the Collector reached the conclusion that the petitioner is fully qualified and eligible for the post of Anganwadi worker, therefore, the Collector directed respondent no.3 to appoint the petitioner as Aganwadi worker. The copy of the order of the Collector is Annexure P-3.

The Chief Executive Officer, Janpad Panchayat, Pandeirya (respondent No.3) in compliance of the order-dated 07.10.2002 issued an appointment order on 14.11.2003 stating therein, the directions of the Collector and further canceling the impugned earlier appointment for the post of Angan Badi worker namely Khelkumari and appointed the petitioner on the said post. Accordingly the petitioner appeared before respondent nos.3 & 5 on 18.11.2002 and submitted her joining report in compliance of the above order but the respondent No.5 did not comply with the orders of respondent no.3 regarding assigning her duty/work of Angan Badi. On 09.12.2002 respondent no.3 issued a memo to respondent no.4 stressing upon the earlier order issued by him wherein he had appointed the petitioner as Angan Badi worker and directed that the needful be done. Then the petitioner approached the respondent no.2 during his camp dated 28.11.2002 at Pandariya apprising him in writing about her grievance. The respondent no.3 issued yet another

(45)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 08/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

memo dated 11.12.2002 to the Project Officer (respondent No.5) with reference to the complaint of the petitioner and directing him to immediately take action and doing the needful and inform the compliance of the same. However, the respondent no.5 the Project Officer, Women & Child Development has deliberately not complied with the orders and directions issued by the appellate authority passed on 07.10.2002 and the respondent no.5 is not allowing the petitioner to perform her duty nor the petitioner is being paid salary.

Learned counsel for the petitioner submits that petitioner may be allowed to make a representation to respondent no.1 raising all her grievances to which learned State counsel has no objection.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances within ten days from today to respondent No.1 and in turn, respondent No.1 after considering all the grievances of the petitioner shall decide the representation within a period of thirty days from the date of receipt of the same in an objective manner with a reasoned order.

With the above directions the petition stands disposed of.

In view of this order, M.(W.)P No.06/2004 stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan/-

16-3-05

[पीछे देखिये